

**To:** Daly, Carl[Daly.Carl@epa.gov]; Dygowski, Laurel[Dygowski.Laurel@epa.gov]  
**Cc:** Bailey, KevinJ[Bailey.KevinJ@epa.gov]  
**From:** Fells, Sandy  
**Sent:** Mon 8/26/2013 4:10:32 PM  
**Subject:** FW: WY Haze Regulations -- Questions from Sen. Harkin's office and request for conf. call today

Carl and Laurel -- Would you be available sometime today to have a conference call with Eldon Boes with Senator Tom Harkin's office regarding WY RH (see his email below)? Here are his specific questions:

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Some of the specific questions I'd like to discuss, specifically as they relate to the Laramie Station units 1, 2, and 3, are:

1. Is WY expected to submit another SIP as the FR notice allows them to do?
2. How different are the costs for compliance under the proposed FIP and the WY SIP that is being disapproved?
3. How different are the regional haze impacts under those 2 alternatives?
4. How different might the schedules be? When would the FIP require completion of retrofits, and what had been proposed in the SIP?

And, any other major points that you think I should know.

Thanks,  
Eldon Boes  
Senior Professional Staff  
Senator Tom Harkin

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Sandy Fells  
Regional Congressional Liaison  
EPA, Region 8, Denver  
303-312-6604

-----Original Message-----

From: Boes, Eldon (Harkin) [mailto:Eldon\_Boes@harkin.senate.gov]  
Sent: Monday, August 26, 2013 8:13 AM  
To: Fells, Sandy; Bailey, KevinJ; Porto, Anna (Harkin); Keating, Martha  
Subject: RE: Haze Regulations

Sandy, thank you, and might we be able to talk about this issue sometime today? In particular, I'd like to be able to go through the MRES Fact Sheet to better understand their position on this issue from your perspective. I think we're 2 time zones apart. I'd welcome your call any time that is convenient for you. My direct line is 202-224-0007.

Thank you,  
Eldon Boes  
Senior Professional Staff  
Senator Tom Harkin  
202-224-3254  
703-217-1850 cell

-----Original Message-----

From: Fells, Sandy [mailto:Fells.Sandy@epa.gov]  
Sent: Friday, August 23, 2013 4:34 PM  
To: Boes, Eldon (Harkin); Bailey, KevinJ; Porto, Anna (Harkin); Keating, Martha

Subject: RE: Haze Regulations

Hello, again, Eldon -- As you now know, the webpage you were looking on was EPA Headquarters' site, instead of EPA Region 8's, so you were only seeing national rulemakings. Here is the page where the link resides. It's the third bullet:

<http://www2.epa.gov/region8/air-program>

Or, here is the direct link to the notice:

<http://www2.epa.gov/sites/production/files/documents/wyomingregionalhazereproposaljune2013.pdf>

Please let us know if there is anything else we can provide for now.

Thanks,  
Sandy

Sandy Fells  
Regional Congressional Liaison  
EPA, Region 8, Denver  
303-312-6604

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From: Boes, Eldon (Harkin) [Eldon\_Boes@harkin.senate.gov]  
Sent: Friday, August 23, 2013 1:45 PM  
To: Bailey, KevinJ; Porto, Anna (Harkin); Fells, Sandy; Keating, Martha  
Subject: Re: Haze Regulations

Thanks, everyone.

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From Eldon's Blackberry

From: Bailey, KevinJ [mailto:Bailey.KevinJ@epa.gov]  
Sent: Friday, August 23, 2013 02:51 PM Eastern Standard Time  
To: Boes, Eldon (Harkin); Porto, Anna (Harkin); Fells, Sandy <Fells.Sandy@epa.gov>; Keating, Martha <keating.martha@epa.gov>  
Subject: Re: Haze Regulations

Eldon-

Here you go. Thanks, Martha!

<http://www2.epa.gov/region8/air-program>

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From: Boes, Eldon (Harkin) <Eldon\_Boes@harkin.senate.gov>  
Sent: Friday, August 23, 2013 1:12:39 PM  
To: Porto, Anna (Harkin); Bailey, KevinJ; Fells, Sandy; Keating, Martha  
Subject: RE: Haze Regulations

Kevin and Sandy,

I'm having trouble finding the proposed rule. The documents cited for May 2013 on this website

<http://www.epa.gov/airquality/visibility/actions.html>

don't seem to include any explicit statements about partially or fully disapproving of WY's SIP. Is it covered implicitly by inclusion of states not listed, or something?

Thanks,

Eldon Boes  
Senior Professional Staff  
Senator Tom Harkin  
202-224-3254  
703-217-1850 cell

From: Boes, Eldon (Harkin)  
Sent: Friday, August 23, 2013 12:52 PM  
To: Porto, Anna (Harkin); 'Bailey.KevinJ@epa.gov'; 'Fells.Sandy@epa.gov'  
Subject: FW: Haze Regulations

Sandy and Kevin,

I'm attaching a Fact Sheet prepared by Missouri River Energy Services on this issue. I'd like to discuss this and the information you provided below, please. Might we talk early Monday?

Thank you,  
Eldon Boes  
Senior Professional Staff  
Senator Tom Harkin  
202-224-3254  
703-217-1850 cell

From: Porto, Anna (Harkin)  
Sent: Friday, August 23, 2013 12:27 PM  
To: Boes, Eldon (Harkin)  
Subject: FW: Haze Regulations

Hi Eldon -

Please see EPA's response re: haze regulations below. Apparently he had sent me this information earlier, I'm not sure why it never came through.

Anna

From: Bailey, KevinJ [mailto:Bailey.KevinJ@epa.gov]  
Sent: Friday, August 23, 2013 12:22 PM  
To: Porto, Anna (Harkin)  
Subject: Fw: Haze Regulations

Here you go!

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From: Bailey, KevinJ  
Sent: Monday, August 05, 2013 11:25:58 AM  
To: Porto, Anna (Harkin)  
Cc: Fells, Sandy  
Subject: RE: Haze Regulations

Hello Anna-

Please see the response to your inquiry below from EPA's Region 8 office. If you have any follow up questions, please feel free to contact Sandy Fells (cc'd on the email) who is a congressional liaison in EPA Region 8. Thanks.

Wyoming Regional Haze State Implementation Plan and Federal Implementation Plan for Regional Haze:  
EPA's Proposed Action on Basin Electric's Laramie River Power Plant

History:

\* On May 15, 2012, EPA proposed partial approval and partial disapproval of the Wyoming regional haze State Implementation Plan (SIP) and proposed a Federal Implementation Plan (FIP) for the SIP's deficiencies. EPA was to take final action in late 2012.

\* In our May 15, 2012 proposed rulemaking, we proposed to disapprove the State's SIP as it pertained to Basin Electric's Laramie River Station Units 1-3. The State determined that the best available retrofit technology (BART) for these units was low-NOx burners (LNBS) with overfire air (OFA). In our May 15, 2012, proposed rulemaking, we proposed a BART FIP for Laramie River Units 1-3 that required the installation of LNBS with OFA and selective non-catalytic reduction (SNCR). The costs we relied on in this action were costs submitted by the State in their regional haze plan.

\* However, based on information submitted during the public comment period, EPA conducted its own cost and visibility improvement analysis and determined that a re-proposal was warranted. On June 10, 2013, we re-proposed action on Wyoming's regional haze SIP. We once again proposed to partially approve and partially disapprove the State's SIP and proposed a FIP for the SIP's deficiencies.

\* In our June 10, 2013 proposed action, we proposed a BART FIP for Laramie River Units 1-3 that would require the installation of LNBS with OFA and selective catalytic reduction (SCR). SCR is more expensive than SNCR but achieves greater emission reductions.

## Rationale

\* As stated in our proposed rulemaking, we found that the State's costs and visibility analysis submitted in their SIP did not meet the regional haze rule requirements.

\* Based on our analysis of the new cost and visibility modeling information, we determined that more stringent controls were warranted on Laramie River Units 1-3. (Detailed cost and modeling information can be found in our proposed rulemaking notice and in the docket). In our re-proposal, we found that "When considering the cost effectiveness and visibility improvement of new LNBs plus OFA and SCR, it is within the range of what EPA has found reasonable for BART in other SIP and FIP actions."

## Status

\* We held public hearings on June 24, 2013, and July 17, 2013, in Cheyenne Wyoming, and July 26, 2013, in Casper, Wyoming.

\* Public comments are due on or before August 26, 2013.

\* EPA is under a consent decree to take final action on our re-proposal by November 21, 2013

Kevin J. Bailey  
Congressional Liaison/Air Team  
Office of Congressional Affairs  
U.S. Environmental Protection Agency  
(o) 202.564.2998  
(f) 202.501.0144

From: Porto, Anna (Harkin) [mailto:Anna\_Porto@Harkin.senate.gov]  
Sent: Thursday, August 01, 2013 11:11 AM  
To: Bailey, KevinJ  
Subject: RE: Haze Regulations

Hi Kevin,

This has to do with regulations to address regional haze issues, specifically requirements focused on the Laramie River Station coal power plant in Wheatland WY. We've been told that the Wyoming DEQ had proposed "installation of low NOx burners with overfire air." We were also told that EPA initially accepted this proposal, but shortly thereafter changed its position and now is proposing to require installation of SCR systems.

We'd like to understand this issue from EPA's perspective, including the history, the current status, and the rationale. We think that could be accomplished with an email outlining the information, perhaps with a short follow-up call.

Might this be possible, please?

Thanks!

Anna

From: Bailey, KevinJ [mailto:Bailey.KevinJ@epa.gov]  
Sent: Wednesday, July 31, 2013 4:10 PM  
To: Porto, Anna (Harkin)  
Subject: Haze Regulations

Hello Anna-

Pat asked me to touch base with you regarding the questions you have about the Laramie River Station in WY. Could you please email me the questions you have so I can work on getting you some assistance? Thanks.

Kevin J. Bailey  
Congressional Liaison/Air Team  
Office of Congressional Affairs  
U.S. Environmental Protection Agency  
(o) 202.564.2998  
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